

From: Stephen
To: Microsoft ATR
Date: 12/7/01 8:27pm
Subject: Microsoft Settlement

Having read the proposed Microsoft Settlement, I would like to offer the following comments.

As a consumer, I am disappointed with numerous areas of this settlement. In particular, that this settlement fails to levy any penalty on Microsoft for their past wrong doings. Furthermore, it fails to address Microsoft's failure to comply with agreements reached in a previous settlement with the government. Microsoft is not above the law, nor do they write laws. They have broken the law and they should be punished accordingly!

Another area I feel needs to be addressed is the subject of interoperability. Having retired from the U.S. Marine Corps after 20 years of service, one thing that constantly annoyed everyone was the seemingly deliberate way in which Microsoft repeatedly changed it's file formats to force software upgrade purchases because of incompatibility among units. Example. If my squadron in North Carolina was using Word 4 and the Naval Air Systems Command in Washington, DC was using Word 5, we couldn't open any documents they sent us because our version of Word was older than theirs. This problem was further exacerbated by Microsoft designing their products file formats to be incompatible with not only older versions of their own products, but products from other competitors such as Word Perfect

This deliberate planned obsolescence of designing incompatibility with competitors software and older versions of their own software needs to be addressed. Everyone who uses a Microsoft product or a competitors product is routinely punished by Microsoft for failing to upgrade to their newest release or purchase their products over a competitors. This needs to stop!

I propose the Department of Justice bring interoperability to the table in it's settlement with Microsoft by requiring Microsoft to "always" disclose to competitors both current file formats as well as all planned changes to the file formats of all Microsoft products. This one step would return choice to the consumer in the products they choose to buy while maintaining interoperability among products and platforms.

I cannot stress how important this one issue is for the computing industry as a whole. Software developers would be able to compete with Microsoft on the merits of their product, unlike today where most fail in the marketplace because few consumers are willing to purchase a product that can't open a proprietary Microsoft document. Companies who do try to compete with Microsoft often don't last long or worse yet . Most never attempt to compete with Microsoft in the first place.

By dropping the barriers to competition, consumers win as well. Consumers

could choose the word processor, spreadsheet, database, video player, etc., of their choosing based on features they like, not because of compatibility alone.

In closing, I would like to leave you with this thought. Not everyone who uses a computer is a power user. As such, not everyone needs to own Microsoft Office, Word, Excel, or Access. I'm sure the majority of consumers would be perfectly happy with the features available in a \$79.00 word processor if given the choice. Unfortunately they have little choice at the moment. So they spend over \$400.00 to purchase Microsoft Office for the sake of opening a proprietary Word document someone has sent them or to ensure others can open a proprietary document they've sent .

Planned obsolescence, forced upgrades and proprietary file formats are out. Consumer choice is in. Give consumers that choice! We not only deserve it. We demand it!

Respectfully submitted,

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